

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES, Plaintiff vs AKEEM KEELEY, Defendant	Case No. 3:12-00225 Hon. Haynes
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*Braden Boucek is
Granting continuance for
one week. Counsel for
the parties shall submit
an agreed Order with the
new sentencing
date and time
to all parties
8/7/13*

MOTION TO CONTINUE SENTENCING HEARING

Defendant moves for a continuance of his sentencing hearing set for June 10, 2013. (D.E. 20). Defendant is on pretrial release without supervision since December 28, 2012 and has had no pretrial misconduct. Defendant has been advised by his primary care physician to get admitted into the hospital because of extremely low oxygen levels and possible pneumonia. He is to be admitted for treatment and tests. Although he does not know the expected length of stay, it will be difficult if not impossible to discuss his Presentence Report and his upcoming sentencing hearing in a hospital setting with insufficient privacy. Defendant is morbidly obese and suffers from sleep apnea and asthma and if he is diagnosed with pneumonia it would be dangerous to require him to appear on Monday for his sentencing hearing. Therefore, the safest route is to continue his sentencing hearing until he is cleared by his doctor.

This is a single count, single defendant case and any continuance will not impact any other cases. The government has been consulted and is not opposed to this request. However, AUSA Braden Boucek has advised that he will be in a three week trial starting **June 25, 2013**. Additionally, the undersigned is scheduled for a trial out of the Eastern District starting on **July 16**, a trial in this Court on **August 6** and another trial before Judge Trauger starting on **August 27**. All other dates are available.

Therefore, Defendant respectfully requests that his sentencing hearing be continued.